

**ASSEMBLY BILL**

**No. 652**

---

**Introduced by Assembly Member Skinner**

February 25, 2009

---

An act to amend Section 35400 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 652, as introduced, Skinner. Vehicles: vehicle length limitation.

(1) Existing law imposes a 40-foot limitation on the length of vehicles that may be operated on the highways, with specified exemptions. Existing law exempts from this limitation an articulated bus or trolley and a bus, except a school bus, that is operated by a public agency or passenger stage corporation that is used in a transit system if it is equipped with a folding device attached to the front of the vehicle that is designed and used exclusively for transporting bicycles, does not materially affect efficiency or visibility of vehicle safety equipment, and does not extend more than 36 inches from the front of the body of the bus or trolley when fully deployed. In addition, existing law prohibits a bicycle that is transported on the above described device from having the bicycle handlebars extend more than 42 inches from the front of the vehicle.

This bill would revise these exemptions to permit a folding device that extends not more than 40 inches from the front body of the bus or trolley when fully deployed and to permit the transportation of a bicycle with handlebars that extend not more than 46 inches from the front of the vehicle.

(2) Existing law exempts from the 40-foot limitation a publicly operated bus on certain highways from the 40-foot requirement if the

bus is equipped with a folding device designed and used exclusively to transport bicycles and the device does not affect efficiency or visibility of the vehicle safety equipment and does not exceed 36 inches from the front of the body of the bus when fully deployed and if the handlebars of a bicycle that is being transported on the device do not extend more than 42 inches from the front of the bus. In addition, the total length of the bus, including the folding device or load, may not exceed 48.5 feet.

This bill would revise this exemption to permit a folding device that extends not more than 40 inches from the front body of the bus when fully deployed and to permit the transportation of a bicycle on the above described folding device that has handlebars that extend not more than 46 inches from the front of the bus. In addition, this bill would also require that the total length of the bus, including the folding device or load, not exceed 48.8 feet.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 35400 of the Vehicle Code is amended  
2 to read:  
3 35400. (a) A vehicle may not exceed a length of 40 feet.  
4 (b) This section does not apply to any of the following:  
5 (1) A vehicle used in a combination of vehicles when the excess  
6 length is caused by auxiliary parts, equipment, or machinery not  
7 used as space to carry ~~any~~ a part of the load, except that the  
8 combination of vehicles shall not exceed the length provided for  
9 combination vehicles.  
10 (2) A vehicle, when the excess length is caused by ~~any~~ the parts  
11 necessary to comply with the fender and mudguard regulations of  
12 this code.  
13 (3) (A) An articulated bus or articulated trolley coach that does  
14 not exceed a length of 60 feet.  
15 (B) An articulated bus or articulated trolley coach described in  
16 subparagraph (A) may be equipped with a folding device attached  
17 to the front of the bus or trolley if the device is designed and used  
18 exclusively for transporting bicycles. The device, including any  
19 bicycles transported thereon, shall be mounted in a manner that  
20 does not materially affect efficiency or visibility of vehicle safety  
21 equipment, and shall not extend more than ~~36~~ 40 inches from the

1 front body of the bus or trolley coach when fully deployed. The  
2 handlebars of a bicycle that is transported on a device described  
3 in this subparagraph shall not extend more than ~~42~~ 46 inches from  
4 the front of the bus.

5 (4) A semitrailer while being towed by a motortruck or truck  
6 tractor, if the distance from the kingpin to the rearmost axle of the  
7 semitrailer does not exceed 40 feet for semitrailers having two or  
8 more axles, or 38 feet for semitrailers having one axle if the  
9 semitrailer does not, exclusive of attachments, extend forward of  
10 the rear of the cab of the motortruck or truck tractor.

11 (5) A bus or house car when the excess length is caused by the  
12 projection of a front safety bumper or a rear safety bumper, or  
13 both. The safety bumper shall not cause the length of the vehicle  
14 to exceed the maximum legal limit by more than one foot in the  
15 front and one foot in the rear. For the purposes of this chapter,  
16 “safety bumper” means ~~any~~ a device that is fitted on an existing  
17 bumper or which replaces the bumper and is constructed, treated,  
18 or manufactured to absorb energy upon impact.

19 (6) A schoolbus, when the excess length is caused by the  
20 projection of a crossing control arm. For the purposes of this  
21 chapter, “crossing control arm” means an extendable and retractable  
22 device fitted to the front of a schoolbus that is designed to impede  
23 movement of pupils exiting the schoolbus directly in front of the  
24 schoolbus so that pupils are visible to the driver while they are  
25 moving in front of the schoolbus. An operator of a schoolbus shall  
26 not extend a crossing control arm while the schoolbus is in motion.  
27 Except when activated, a crossing control arm shall not cause the  
28 maximum length of the schoolbus to be extended by more than 10  
29 inches, inclusive of ~~any~~ a front safety bumper. Use of a crossing  
30 control arm by the operator of a schoolbus does not, in and of  
31 itself, fulfill his or her responsibility to ensure the safety of students  
32 crossing a highway or private road pursuant to Section 22112.

33 (7) A bus, when the excess length is caused by a device, located  
34 in front of the front axle, for lifting wheelchairs into the bus. That  
35 device shall not cause the length of the bus to be extended by more  
36 than 18 inches, inclusive of ~~any~~ a front safety bumper.

37 (8) A bus, when the excess length is caused by a device attached  
38 to the rear of the bus designed and used exclusively for the  
39 transporting of bicycles. This device may be up to 10 feet in length,  
40 if the device, along with any other device permitted pursuant to

1 this section, does not cause the total length of the bus, including  
2 ~~any~~ a device or load, to exceed 50 feet.

3 (9) A bus operated by a public agency or a passenger stage  
4 corporation, as defined in Section 226 of the Public Utilities Code,  
5 used in transit system service, other than a schoolbus, when the  
6 excess length is caused by a folding device attached to the front  
7 of the bus which is designed and used exclusively for transporting  
8 bicycles. The device, including ~~any~~ all bicycles transported thereon,  
9 shall be mounted in a manner that does not materially affect  
10 efficiency or visibility of vehicle safety equipment, and shall not  
11 extend more than ~~36~~ 40 inches from the front body of the bus when  
12 fully deployed. The handlebars of a bicycle that is transported on  
13 a device described in this paragraph shall not extend more than ~~42~~  
14 46 inches from the front of the bus. A device described in this  
15 paragraph may not be used on a bus that, exclusive of the device,  
16 exceeds 40 feet in length or on a bus having a device attached to  
17 the rear of the bus pursuant to paragraph (8).

18 (10) (A) A bus of a length of up to 45 feet when operating on  
19 those highways specified in subdivision (a) of Section 35401.5.  
20 The Department of Transportation or local authorities, with respect  
21 to highways under their respective jurisdictions, may not deny  
22 reasonable access to a bus of a length of up to 45 feet between the  
23 highways specified in subdivision (a) of Section 35401.5 and points  
24 of loading and unloading for motor carriers of passengers as  
25 required by the federal Intermodal Surface Transportation  
26 Efficiency Act of 1991 (P.L. 102-240).

27 (B) A bus operated by a public agency and on those highways  
28 specified in subparagraph (A) may be equipped with a folding  
29 device attached to the front of the bus that is designed and used  
30 exclusively for transporting bicycles. The device, including all  
31 bicycles transported thereon, may be mounted in a manner that  
32 does not materially affect efficiency or visibility of vehicle safety  
33 equipment, and may not extend more than ~~36~~ 40 inches from the  
34 front body of the bus when fully deployed. The handlebars of a  
35 bicycle that is transported on a device described in this  
36 subparagraph may not extend more than ~~42~~ 46 inches from the  
37 front of the bus. The total length of the bus, including the folding  
38 device or load, may not exceed ~~48.5~~ 48.8 feet. A Route Review  
39 Committee, established under this subparagraph, shall review the  
40 routes where a public agency proposes to operate a 45-foot bus

equipped with a front mounted bicycle rack. The Route Review Committee shall be comprised of one member from the public agency appointed by the general manager of the public agency; one member who is a traffic engineer and is employed and selected by the public agency that has jurisdiction over the largest proportional share of routes among all affected agencies; and one member appointed by the labor organization that is the exclusive representative of the bus drivers of the public agency. If there is no exclusive representative of the bus drivers, a bus driver member shall be chosen by a majority vote of the bus drivers employed by the agency. The members of the Route Review Committee shall be selected not more than 30 days after receipt of a public agency proposal to equip a 45-foot bus with a front mounted bicycle rack. The review shall include a field review of the proposed routes. The purpose of the Route Review Committee is to ensure the safe operation of a 45-foot bus that is equipped with a front mounted bicycle rack. The Route Review Committee, by a unanimous vote, shall make a determination of which routes are suitable for the safe operation of a 45-foot bus that is equipped with a front mounted bicycle rack. These determinations shall be consistent with the operating requirements specified in subparagraph (A). It is the intent of the Legislature that the field review required under this subparagraph include consultation with traffic engineers from affected public agencies that have jurisdiction over segments of the route or routes under review, to ensure coordination with all effected state and local public road agencies that may potentially be impacted due to the operation of a 45-foot bus with a front mounted bicycle rack.

(11) (A) A house car of a length of up to 45 feet when operating on the National System of Interstate and Defense Highways or when using those portions of federal aid primary system highways that have been qualified by the United States Secretary of Transportation for that use, or when using routes appropriately identified by the Department of Transportation or local authorities, with respect to highways under their respective jurisdictions.

(B) A house car described in subparagraph (A) may be operated on a highway that provides reasonable access to facilities for purposes limited to fuel, food, and lodging when that access is consistent with the safe operation of the vehicle and when the facility is within one road mile of identified points of ingress and

1 egress to or from highways specified in subparagraph (A) for use  
2 by that vehicle.

3 (C) As used in this paragraph and paragraph (10), “reasonable  
4 access” means access substantially similar to that authorized for  
5 combinations of vehicles pursuant to subdivision (c) of Section  
6 35401.5.

7 (D) ~~Any~~ *An* access route established by a local authority  
8 pursuant to subdivision (d) of Section 35401.5 is open for access  
9 by a house car of a length of up to 45 feet. In addition, local  
10 authorities may establish a process whereby access to services by  
11 house cars of a length of up to 45 feet may be applied for upon a  
12 route not previously established as an access route. The denial of  
13 a request for access to services shall be only on the basis of safety  
14 and an engineering analysis of the proposed access route. In lieu  
15 of processing an access application, local authorities, with respect  
16 to highways under their jurisdiction, may provide signing, mapping,  
17 or a listing of highways, as necessary, to indicate the use of these  
18 specific routes by a house car of a length of up to 45 feet.

19 (c) The Legislature, by increasing the maximum permissible  
20 kingpin to rearmost axle distance to 40 feet effective January 1,  
21 1987, as provided in paragraph (4) of subdivision (b), does not  
22 intend this action to be considered a precedent for any future  
23 increases in truck size and length limitations.

24 (d) ~~Any~~ *A* transit bus equipped with a folding device installed  
25 on or after January 1, 1999, that is permitted under subparagraph  
26 (B) of paragraph (3) of subdivision (b) or under paragraph (9) of  
27 subdivision (b) shall be additionally equipped with any of the  
28 following:

29 (1) An indicator light that is visible to the driver and is activated  
30 whenever the folding device is in an extended position.

31 (2) Any other device or mechanism that provides notice to the  
32 driver that the folding device is in an extended position.

33 (3) A mechanism that causes the folding device to retract  
34 automatically from an extended position.

35 (e) (1) A person may not improperly or unsafely mount a  
36 bicycle on a device described in subparagraph (B) of paragraph  
37 (3) of subdivision (b), or in paragraph (9) or (10) of subdivision  
38 (b).

39 (2) Notwithstanding subdivision (a) of Section 23114 or  
40 subdivision (a) of Section 24002 or any other provision of law,

- 1 when a bicycle is improperly or unsafely loaded by a passenger
- 2 onto a transit bus, the passenger, and not the driver, is liable for
- 3 ~~any~~ *a* violation of this code that is attributable to the improper or
- 4 unlawful loading of the bicycle.